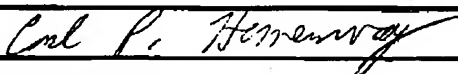
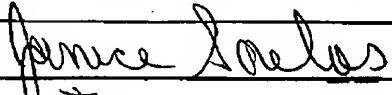


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	Filing Date	07/14/2003	
	First Named Inventor	Richard Thomas Gray	
	Art Unit	1751	
	Examiner Name	Brian P. Mruk	
	Attorney Docket Number	A01182	
Total Number of Pages in This Submission		6	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
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Date	November 8, 2007	Reg. No.	51,798

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DN A01182

PATENT

GROUP ART UNIT: 1751

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF APPEALS AND INTERFERENCES**

**APPELLANTS' BRIEF IN REPLY TO EXAMINER'S ANSWER**

Richard Thomas Gray, et. al.

Application for Patent Filed 07/14/2003

Serial No. 10/619,061

Technical Center Group No.: 1751

**TRIGGERED RESPONSE COMPOSITIONS**

Carl P. Hemenway  
*Agent for Appellants*

Brian P. Mruk,  
*Examiner*

Enclosed:  
Reply Brief  
Transmittal Form, including a Certificate of Transmission

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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NOV 08 2007

In re application of : Richard Thomas Gray, et. al.

Application No. : 10/619,061 Group No. : 1751

Filed: : 07/14/2003 Examiner : Brian P. Mruk

For : TRIGGERED RESPONSE COMPOSITIONS

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Commissioner for Patents  
PO Box 1450  
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**REPLY BRIEF FOR APPELLANTS**

This is a reply to the Examiner's Answer mailed on September 26, 2007.

**Non-Obviousness of Claims 1 and 9 over Bardman (US 6,710,161)**

Present claims 1 and 9 recite one or more polyelectrolytes in contact with an aqueous system, "wherein said aqueous system comprises fabric." Appellants respectfully maintain that Bardman does not teach or suggest this feature.

Appellants maintain the arguments on this point as presented in their previous papers. In the present paper, Appellants wish to emphasize the definition of the term "aqueous system."

As Appellants presented in their "Appeal Brief," the term "aqueous system" is well known in the art to mean a composition that is a fluid. That is, a composition that is an "aqueous system" not only contains water but also is a composition that is itself a fluid. Thus, an aqueous system is a composition that exhibits the behaviors that are characteristic of a fluid. For example, an aqueous fluid can be stirred; it can be poured from one container into another; if put under a constant stress (such as gravity), it will flow.

Present claims 1 and 9 recite an aqueous system, "wherein said aqueous system comprises fabric." As set forth herein above, Appellants submit that, according to the definition of "aqueous system," the feature recited in present claims 1 and 9 is a fluid,

with all the characteristics of a fluid. The recited aqueous system comprises fabric, and Appellants submit that the fact that the aqueous system comprises fabric does not change the fact that the aqueous system is a fluid.

The Examiner argues in his Examiner's Answer, "Bardman et al clearly teaches a polymer composition that is dispersed in an aqueous medium and is applied to a textile or fabric, which meets the limitations of the instant claims." Appellants respectfully disagree. Appellants submit that no object taught by Bardman is an aqueous system that comprises fabric and that therefore no object taught by Bardman meets that limitation of the present claims.

Bardman teaches a polymer composition that contains copolymer particles dispersed in an aqueous medium. Bardman teaches that this polymer composition may be applied to various substrates (col. 15, lines 43-47), including, for example, cloth and textiles (col. 15, lines 66-67). Bardman also teaches that this polymer composition may be used as a "woven or nonwoven textile saturant or coating" (col. 16, lines 3-4).

That is, Bardman teaches fabric to which his polymer composition has been "applied," and he teaches fabric saturated or coated with his polymer composition. Appellants submit that neither of these objects taught by Bardman is an aqueous system. Fabric to which Bardman's polymer composition has been applied (i.e., a coated fabric) is a solid material with a wet surface. Such an object cannot be stirred or poured; it could be lifted and transported without the use of a watertight container. Consequently, a piece of coated fabric is not a fluid. Similarly, fabric saturated with Bardman's polymer composition is a solid material with imbibed liquid, and such a saturated fabric is not itself a fluid. Because none of the fabric-containing objects taught by Bardman is a fluid, none of these objects is an "aqueous system." Consequently, Appellants maintain that Bardman does not disclose the feature, as recited in the present claims, of an aqueous system that comprises fabric.

Appellants also submit that Bardman's teachings not only fail to teach an aqueous system that comprises fabric but that they also fail to suggest an aqueous system that comprises fabric. Appellants submit that the existence of a coated or saturated fabric does not suggest, to a person of ordinary skill, an aqueous system that contains fabric.

In sum, Appellants submit that Bardman does not teach or suggest the feature of present claims 1 and 9 of an aqueous system that comprises fabric. Therefore Appellants maintain that present claims 1 and 9 are not obvious over Bardman.

Appellants respectfully request the Board to reverse the Examiner's rejection and to pass Appellants' claims 1 and 9 to allowance at this time.

#### Non-Obviousness of Claims 3 and 10 over Bardman

Appellants maintain that present claims 3 and 10 are not obvious over Bardman for the reasons set forth in their Appeal Brief. In the present paper, Appellants wish to emphasize their assertion that Bardman does not teach or suggest any material (whether "active" or not) that is surrounded by the specific polyelectrolyte of the present claims. As set forth in detail in their Appeal Brief, Appellants maintain that the only material that Bardman teaches that is surrounded by copolymer is pigment, and that Bardman teaches that the copolymer that is used by Bardman for surrounding pigment has molecular weight of at least 50,000. Thus, Bardman's teachings of materials surrounded by copolymer are limited to compositions in which copolymer has molecular weight of at least 50,000. In contrast, present claims 3 and 10 recite polyelectrolyte having molecular weight between 1,000 and 20,000 that surrounds active ingredient. Appellants maintain that this combination of features is not taught or suggested by Bardman. Consequently, Appellants maintain that present claims 3 and 10 are not obvious over Bardman.

Appellants respectfully request the Board to reverse the Examiner's rejection and to pass Appellants' claims 3 and 10 to allowance at this time.

#### Non-Obviousness of Claims 11 and 12 over Bardman

Appellants maintain that present claims 11 and 12 are not obvious over Bardman for the reasons set forth in their Appeal Brief. In the present paper, Appellants wish to emphasize the distinction between the compositions taught by Bardman and the "fabric laundry wash cycle" recited in present claims 11 and 12.

As set forth herein above, Appellants maintain that Bardman's teachings regarding fabric are limited to fabric that has been coated or saturated with a copolymer composition.

Appellants submit that coated or saturated fabric is a different composition from a fabric laundry wash cycle. The characteristics of a fabric laundry wash cycle are well known, and a fabric laundry wash cycle is clearly a different composition from a fabric that is coated or saturated. For one example, it is well known, based on the meaning of the term "fabric laundry wash cycle," that a fabric laundry wash cycle contains sufficient water to not only surround fabric items but to constantly expose them, under agitation, to fresh volumes of water. Coated or saturated fabric does not contain sufficient water for these effects, and thus neither coated fabric nor saturated fabric is a fabric laundry wash cycle.

Appellants also submit that Bardman's teachings not only fail to teach a fabric laundry wash cycle but that they also fail to suggest a fabric laundry wash cycle. Appellants submit that the existence of a coated or saturated fabric does not suggest, to a person of ordinary skill, a fabric laundry wash cycle.

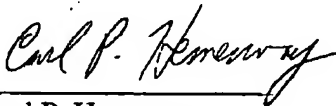
In sum, Appellants maintain that Bardman does not teach or suggest a fabric laundry wash cycle, that none of the fabric objects taught by Bardman is a fabric laundry wash cycle, and that a fabric laundry wash cycle is not suggested by the fabric objects taught by Bardman. Therefore, Appellants submit that this feature provides a reason why present claims 11 and 12 are not obvious over Bardman.

Appellants respectfully request the Board to reverse the Examiner's rejection and to pass Appellants' claims 11 and 12 to allowance at this time.

Respectfully Submitted,

Rohm and Haas Company  
Independence Mall West  
Philadelphia, PA 19106-2399

Date: November 8, 2007

  
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Registration No. 51,798